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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,689	06/27/2001	Shigeyoshi Hirashima	450100-03261	6422
20999 7590 03/27/2007 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER POON, KING Y	
			ART UNIT 2625	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/27/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/894,689

Applicant(s)

HIRASHIMA ET AL.

Examiner

King Y. Poon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,6,7,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,11 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beard et al (US 6,940,613) in view of Coley et al (US 5,826,014).

Regarding claim 6: Beard teaches a connecting method for connecting a connection source (printing apparatus, column 4, lines 22-25) over a network (column 11, lines 25-30) to a predetermined connection destination (manufacturer, column 11, lines 25-30); wherein the connection source is a printer and the predetermined connection destination provides maintenance (column 1, lines 40-45) for said printer over said network; the method comprising the steps of: setting information about said predetermined connection destination to said connection source in advance (e.g., column 9, lines 25-55); causing said connection source to make a connection request (connecting using a network or phone, column 11, lines 25-30, the signal that allows message reaches the manufacturer computer system is the connection request) to said predetermined connection destination based on said information about said predetermined connection destination (column 13, lines 35-45, column 11, lines 25-30), menus of maintenance offerings (modules programmed into the machine offer by the manufacturer, column 9, lines 44-50), and connecting method information (network or

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phone, column 11, lines 25-30), located in the printer; the predetermined connection destination including plural connection source identifications for identifying a plurality of connection sources (column 1, lines 24-45, the manufacturer identifies different customers); and connecting said connection source to said predetermined connection destination (network or phone, column 11, lines 25-30).

Beard does not teach the connection request including a connection source identification for identifying said connection source; causing said predetermined connection destination to receive said connection request from said connection source in order to judge whether said connection source is a predetermined connection source or not upon interpreting said connection request the predetermined connection destination judging whether said connection source is a predetermined connection source by checking said connection source identification against said plural connection source identifications; if said connection source is judged to be a predetermined connection source by said judging means, then granting connection permission to said connection source.

Such limitations are taught by Coley, (abstract, column 3, lines 5-11, column 9, lines 30-45, column 11, lines 40-50) by using a firewall.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Beard to include: a firewall, a connection request including a connection source identification for identifying said connection source; causing said predetermined connection destination to receive said connection request from said connection source in order to judge whether said

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connection source is a predetermined connection source or not upon interpreting said connection request the predetermined connection destination judging whether said connection source is a predetermined connection source by checking said connection source identification against said plural connection source identifications; if said connection source is judged to be a predetermined connection source by said judging means, then granting connection permission to said connection source.

The reason of doing do is to protect Beard's manufacturer's network elements from being attacked, column 1, lines 5-10, column 5, lines 49-65.

Although Beard teaches automatically connecting a connection source over a network to a predetermined connection destination as previously discussed, Beard does not teach using a trigger signal issued upon initial power-up.

However, the printer of Beard inherent requires power to generate a trigger signal for operation when power is first being supplied to the system, and all the power would be used up when power supply is being cut off and need to reconnect to a power source before the printer is operable. Beard also teaches to connect to the manufacturer and provide status information once the memory (column 40-55, column 11, lines 15-31) reaches a particular condition, Beard, column 2, lines 43-47, further realizing a printer that can be turned off.

Therefore, it would have been obvious that the printer of Beard would automatically connecting the connection source over a network to a predetermined connection destination using a trigger signal issued upon initial power-up, if the

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condition discussed in column 11, lines 30 of Beard occurs during initial power up after power interruption.

Regarding claim 7: Beard teaches connecting method wherein said connection source is connected to said connection destination without intervention of an Internet service provider being contracted (fig. 2 of Coley does not show the connection requires an Internet service provider, furthermore, the connection as discussed is provided by the firewall of an institution (column 4, lines 55-60, Coley).

Regarding claims 1, 2: Please see discussion of claims 6, 7.

The connecting means are 30 of fig. 1, Beard.

The receiving means, judging means, permission granting means are the different program code (column 13, lines 45-55, Coley) of computer that controls the different function as discussed in claim 6.

3. Claims 11, 12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Beard et al (US 6,940,613) in view of Coley et al (US 5,826,014) and LeSueur et al (US 5,272,503).

Regarding claims 11,12: Please see discussion of claims 6, 7.

Coley teaches to use a computer readable medium of storing a program to carry out his invention, column 13, lines 50-55.

Beard does not show a computer readable medium of storing a program for his printer.

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However, LeSueur, in the same area of controlling a printer, teaches to use a computer readable medium of storing a program for a printer column 3, lines 55-65.

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Beard to include: a computer readable medium of storing a program for the printer.

Doing so would have reduced the size and the price of the printer. It would have also increase the adaptability of the printer.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 2, 6, 7, 11, 12 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 16, 2007

A handwritten signature in black ink, appearing to read 'KYP', followed by a long horizontal line.

KING Y. POON  
PRIMARY EXAMINER